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8 Attorneys for the United States of America

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 OAKLAND DIVISION

12 UNITED STATES OF AMERICA, )

No. 4-06-70440-WDB

13 Plaintiff, )

14 v. )

15 STIPULATION AND ORDER TO  
RESCHEDULE ARRAIGNMENT  
OR PRELIMINARY HEARING

16 GILBERT POLINA, )

17 Defendant. )  
18

19 The United States and the defendant, through their undersigned counsel, hereby  
20 stipulate and agree to reschedule the arraignment or preliminary hearing in this case from  
21 August 2, 2006, to September 7, 2006. The parties are working toward a resolution  
22 of this case which will result in the filing of a misdemeanor charging document, and plea  
23 before this Court. However, additional time is necessary for the logistics to be put in  
24 place for that to occur. This continuance will enable the parties to work toward the  
25 anticipated resolution of this case.

26 The defendant agrees to waive time for arraignment or preliminary hearing until  
27 the new hearing date of September 7, 2006, and both parties agree to exclude time in the  
28 interests of justice under the Speedy Trial Act for the period between August 2, 2006, to

1 September 7, 2006, pursuant to the provisions of 18 U.S.C. § 3161(h)(8)(A) and (B)(iv).


2  
3 Respectfully submitted,

4  
5 Dated: 8/1/06

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CAMELIA BRAY, ESQ.  
Attorney for Gilbert Polina

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8 KEVIN V. RYAN  
United States Attorney

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10 Dated: 8/1/06

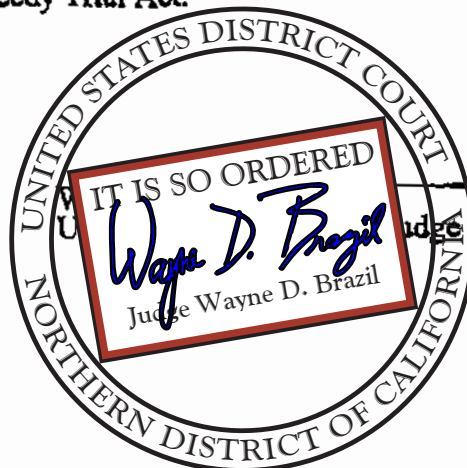
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GEORGE L. BEVAN JR.  
United States Attorney

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13  
14 **ORDER RESCHEDULING ARRAIGNMENT or PRELIMINARY HEARING**

15 Upon the foregoing stipulation of the parties, and good cause therefor, IT IS  
16 HEREBY ORDERED that the arraignment or preliminary hearing in this case is  
17 rescheduled from August 2, 2006, to September 7, 2006, at 10:00 a.m., before  
18 Magistrate Judge Wayne D. Brazil in Oakland.

19 The Court finds that time will be excluded for that period, in the interests of  
20 justice, for purposes of the Speedy Trial Act.

21  
22  
23 Dated: August 1, 2006



JOINT APPLICATION TO  
RESCHEDULE SENTENCING DATE